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**DATE:** January 20, 2004

**REF. NO.:** KCX-316  
**USSN:** 10/007,627

**TO:** EXAMINER M. HALPERN  
U.S. PATENT AND TRADEMARK OFFICE  
ALEXANDRIA, VA 22313-1450

**AT TELECOPIER NO.:** 703-872-9309

**NUMBER OF PAGES (INCLUDING COVER SHEET):** 9

**FROM:** Tara E. Agnew

**MESSAGE:** See attached transmittal.

**TRANSMITTED BY:** Terry Ballew

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NUMBER OF PAGES INCLUDING COVER SHEET: 8					
FROM: Tara E. Acnew					
MESSAGE: See attached transmittal.					
TRANSMITTED BY: Terry Ballaw					
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PAGE 18 * RCVD AT 1/9/2004 9:08:33 AM [Eastern Standard Time] * SVR:USPTO-EFAXF-1/0 * DNIS:8729309 * CSID:8642337342 * DURATION (mm-ss):02:26					

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**FACSIMILE TRANSMISSION**

**DATE: January 9, 2004**

**OUR REF. NO.: KCX-316**  
**USSN: 10/007,627**

**TO: U.S. PATENT AND TRADEMARK OFFICE**  
**ALEXANDRIA, VA 22313-1450**

**AT TELECOPIER NO.: 703-872-9309**

**NUMBER OF PAGES (INCLUDING COVER SHEET): 8**

**FROM: Tara E. Agnew**

**MESSAGE: See attached transmittal.**

**TRANSMITTED BY: Terry Ballew**

PAGE 3/10 \* RCVD AT 1/20/2004 11:32:21 AM [Eastern Standard Time] \* SVR:USPTO-EFAX-1/0 \* DNIS:8729309 \* CSID:8642337342 \* DURATION (mm-ss):03-26

**PATENT**

**ATTORNEY DOCKET NO.: KCX-316 (15606)**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Joseph G. Capizzi )  
Appl. No.: 10/007,627 )  
Filed: November 8, 2001 )  
Title: Foam Treatment of Tissue Products )

Examiner: M. Halpern  
Art Unit/T.C.: 1731  
Confirmation No.: 9974  
Customer No.: 04-1403

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**LETTER**

Dear Sir:

A Notice of Allowance and Fee(s) Due was mailed for the above-identified application on October 22, 2003. While reviewing the file for payment of the issue fee, it came to our attention that part of an Information Disclosure Statement filed by Applicant on February 27, 2003 has not yet been initialed by the Examiner. A copy of the Information Disclosure Statement as filed on February 27, 2003 (5 pages total) accompanies this Letter. Attorney for Applicant called Examiner Halpern regarding this Information Disclosure Statement on January 8, 2004, and Examiner Halpern instructed us to send this facsimile.

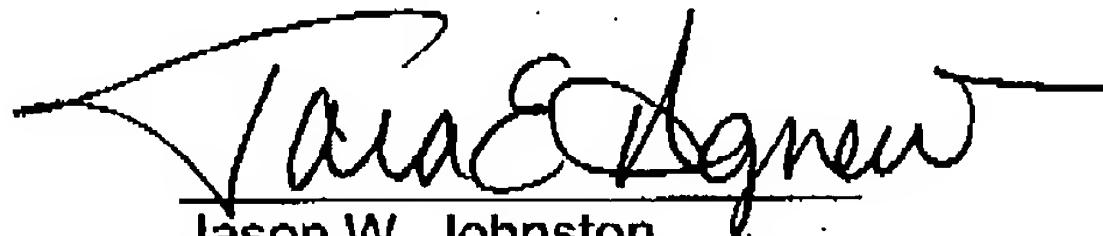
Applicant requests that an initialed copy of the Information Disclosure Statement be faxed to Attorneys for Applicant so that the record properly shows that the documents cited in the February 27, 2003 have been considered by the Examiner.

Appl. No. 10/007,627  
Letter Dated January 9, 2004

Please contact the undersigned by telephone with any questions regarding this Letter, as the Issue/Publication Fees are due for this application on **January 22, 2004**.

Respectfully submitted,

DORITY & MANNING, P.A.



Jason W. Johnston  
Registration No. 45,675

Tara E. Agnew  
Registration No. 50,589

Attorneys for Applicant

DORITY & MANNING, P.A.  
P. O. Box 1449  
Greenville, SC 29602-1449  
Phone: (864) 271-1592  
Facsimile: (864) 233-7342

Date:

Jan. 9, 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## INFORMATION DISCLOSURE STATEMENT

In re Application of: Joseph G. Capizzi Attorney Docket No.: KCX-316 (15606)Serial No.: 10/007,627 Date: February 27, 2003Filed: November 8, 2001 Art Unit: 1731Confirmation No.: 9974 Our Account No.: 04-1403Title: Foam Treatment of Tissue ProductsCommissioner for Patents  
U.S. Patent and Trademark Office  
Washington, D.C. 20231

Sir:

The following is an Information Disclosure Statement for the captioned patent application, pursuant to 37 CFR Sections 1.56, 1.97, and 1.98.

1.[x] Attached hereto is:

a.[x] A list of materials for consideration per Rule 98(a)(1): 1 page(s)b.[x] A legible copy of each patent, publication, or other item listed per Rule 98(1)(2), unless not required per Rule 98(c) and/or (d) and as indicated on the attached list(s):  
3 item(s)c.[ ] For each non-English language item listed, pursuant to Rule 98(a)(3), a concise explanation of the relevance thereof as it is presently understood by the individual designated in Rule 56(c) most knowledgeable about the content of such items: \_\_\_\_\_

[ ] Such explanation is provided in the Search Report from a corresponding application enclosed herewith along with any enclosed translation into English.

2.[x] This Information Disclosure Statement is being filed [CHECK ONE]:

a.[x] WITHIN THREE MONTHS of the application filing date, national stage date of entry, or along with or after a request for continued examination, OR BEFORE the mailing date of a first Office Action on the merits, which ever event occurs last, WHEREFORE per Rule 97(b) NO filing fee or Rule 97(e) certificate is required.b.[ ] AFTER the time periods of section 2.a above, but BEFORE a Final Action, Notice of Allowance OR an action that otherwise closes prosecution, WHEREFORE PER Rule 97(c) submitted herewith is [CHECK ONE]:i.[ ] Certification per Rule 97(e); OR

ii.[ ] Filing Fee per Rule 17(p) .....\$180.00

c.[ ] AFTER a Final Action OR Notice of Allowance, but BEFORE payment of the issue fee, WHEREFORE per Rule 97(d) submitted herewith is:i. Certification per Rule 97(e); AND

ii. Filing fee per Rule 17(p) .....\$180.00

3.[ ] Rule 97(e) Certification; per Rule 97(e), the undersigned certifying party make the following certification statement [CHECK ONE]:

a.[ ] That each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; OR

b.[ ] That no item of information contained in this Information Disclosure Statement was first cited in a foreign patent office in a counterpart foreign application and to the knowledge of the undersigned after making a reasonable inquiry, was known to any individual designated in Rule 56(c) more than three months prior to the filing of this statement.

CERTIFYING PARTY (if different from bottom signature; omission here indicates that certification is being made by signer per signature below).

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

Date: \_\_\_\_\_



4.[x] DEPOSIT ACCOUNT AUTHORIZATION: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

5.[x] CERTIFICATE OF MAILING: This Information Disclosure Statement is being filed pursuant to [CHECK AND COMPLETE ONE]:

a.[x] First Class Mail Certificate of Mailing under Rule 8:

I hereby certify that this correspondence and any referenced attachment and/or fee are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, Washington, D.C. 20231, on February 27, 2003.

Sandra S. Perkins

(Typed/printed name of person mailing paper or fee)

  
(Signature of person mailing paper or fee)

b.[ ] "Express Mail" Certificate under Rule 10:

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I hereby certify that this paper and all attachments and any fee are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patent, U.S. Patent and Trademark Office, Washington, D.C. 20231.

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(Typed/printed name of person mailing paper or fee)

\_\_\_\_\_  
(Signature of person mailing paper or fee)

ADDRESS:

Post Office Box 1449  
Greenville, South Carolina 29602  
Telephone: 864-271-1592  
Facsimile: 864-233-7342

DORITY & MANNING, P.A.

By: Christina L. Mangelsen

Reg. No.: 50,244

Signature: 

Date: February 27, 2003

Sheet 1 of 1

(Rev. 5/92) Information Disclosure Statement List By Applicant Under 37 CFR Section 1.98(a) (1) (Use several sheets if necessary)	Attorney Docket Number	Serial Number
	KCX-316 (15606)	10/007,627
	Applicant	
	Joseph G. Capizzi	
	Filing Date:	Group
	November 8, 2001	1731
	Confirmation No.:	
	9974	

**NOTE:**

If no indication is made in the column marked "COPY NOTE," the required legible copy of the corresponding item is submitted herewith; otherwise, a copy is not required and/or not submitted, for the following reason(s) [corresponding reason number is listed in "COPY NOTE" column]

- (1) This item is cumulative, per Rule 98(c)
- (2) A copy of this item was previously cited by or submitted to the U.S. Patent and Trademark Office in:  
 USSN \_\_\_\_\_, filed \_\_\_\_\_, or  
 USSN \_\_\_\_\_, filed \_\_\_\_\_;  
 Relied on under 35 U.S.C. Section 120, per Rule 98(d)
- (3) Both reasons (1) and (2) apply
- (4) No legible complete copy is possessed, in custody of controlled, or readily available

U.S. PATENT DOCUMENTS										
EXAMINER INITIALS	PATENTEE NAME		PATENT NUMBER							ISSUE DATE
	Stoveken		4	2	7	6	3	3	9	06/30/1981

FOREIGN PATENT DOCUMENTS										
EXAMINER INITIALS	COUNTRY	DOCUMENT NUMBER								PUBLICATION DATE
	WO	0	0	1	5	9	0	7	A1	03/23/2000
	WO	9	8	4	0	2	0	7	A1	09/17/1998

\*"NO" means that no copy of an English language translation is within the possession, custody, or control of, or is readily available to any individual designated in Rule 56(c).

EXAMINER INITIALS	OTHER DOCUMENTS	COPY NOTE
	Specify author (if any), Title, Pertinent Pages, Date & Place of Publication	
EXAMINER	DATE CONSIDERED	
Examiner:	initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.	



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Joseph G. Capizzi                      Docket No.: KCX-316 (15606)  
Serial No.: 10/007,627                      Group No.: 1731  
Confirmation No.: 9974                      Examiner: Unknown  
Filed: November 8, 2001                      Date: February 27, 2003  
For: Foam Treatment of Tissue Products

**RELATED U.S. PATENT APPLICATION**

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

The following commonly assigned U.S. Patent Application is being cited to the Examiner for review and consideration. Enclosed please find a copy of this application. Once the application has been reviewed, it is requested that the Examiner place his or her initial to the left of the identified patent on the list document to indicate that the specific patent application has been considered.

**RELATED U.S. APPLICATION**

<u>Examiner's Initial</u>	<u>Inventor</u>	<u>Serial Number</u>	<u>Filing Date</u>	<u>Title of Application</u>
_____	Vander. Heiden, et al.	09/645,649	08/24/2000	Method Of Applying A Foam Composition Onto A Tissue And Tissue Products Formed Therefrom

THE OFFICIAL STAMP OF THE UNITED STATES PATENT AND  
TRADEMARK OFFICE HEREON ACKNOWLEDGES RECEIPT OF  
THE FOLLOWING:

IDS COVER SHEET, FORM 1449, RELATED REFERENCES (3)  
RELATED APPLICATION SHEET, RELATED APPLICATIONS (1)

RE: KCX-316 (15606)

SERIAL NO.: 10/007,627

FILING DATE: NOVEMBER 8, 2001

FOR: FOAM TREATMENT OF TISSUE PRODUCTS

FEBRUARY 27, 2003